

vine population and density to produce 15 barrels of cranberries per acre, such portion will qualify as cranberry acreage pursuant to this section. Since such qualified portion of the acreage would be eligible for a sales history, it must be definitely and permanently delineated.

(d) It shall be the responsibility of the grower to maintain adequate sales records to show actual sales from their cranberry acreage and submit such records to the committee separately from sales records pertaining to any other acreage. The report of sales must be filed by the grower no later than January 15 of the calendar year succeeding the crop year to which such sales pertain.

[59 FR 36023, July 15, 1994]

**§ 929.109 Unusual circumstances as used in determining base quantities.**

*Unusual circumstances*, as used in § 929.48(a)(3), shall include but not necessarily be limited to the taking of property under the power of eminent domain and also "Acts of God," such as an earthquake, seashore erosion, encroachment of sand dunes, saline contamination due to prolonged inundation, a forest fire, and any other circumstances which are beyond the grower's control and destroy the ability of a cranberry bog to produce cranberries to such an extent that the bog is found, in the judgment of the committee, to be permanently lost for commercial purposes. When a grower believes he has lost cranberry acreage due to "unusual circumstances" under the provisions of § 929.48, he shall apply and furnish information to the committee to sufficiently establish that "unusual circumstances" exist.

[34 FR 1304, Jan. 28, 1969]

**§ 929.110 Transfers or sales of cranberry acreage.**

(a) Sales or transfers of cranberry acreage shall be reported by the transferor and transferee to the committee, in writing, on forms provided by the committee. Completed forms shall be sent to the committee office not later than 30 days after the transaction has occurred.

(b) Upon transfer of all or a portion of a growers' acreage, the committee shall be provided with certain information on the forms it will provide to the parties. The transferor and transferee must provide the following information:

(1) Crop records for the acreage involved;

(2) Annual production and sales for each crop year on the acreage involved, either in total, or for each individual parcel; and

(3) Such other information as the committee deems necessary.

(c) Cranberry acreage sold or transferred shall be recognized in connection with the issuance of sales history as follows:

(1) If a grower sells all of the acreage comprising the entity, all prior sales history shall accrue to the purchaser;

(2) If a grower sells only a portion of the acreage comprising the entity from which prior sales have been made, the purchaser and the seller must agree as to the amount of sales history attributed to each portion and shall provide, on a form provided by the committee, sufficient information so that sales are shown separately by crop year. However, the sales history attributed to each portion shall not exceed the total sales history, as determined by the committee, for such acreage at the time of transfer.

[59 FR 36023, July 15, 1994]

**§ 929.125 Committee review procedures.**

Pursuant to § 929.48(c), growers may request, and the committee shall grant, a review of determinations made by the committee pursuant to § 929.48 (a) and (b), in accordance with the following procedures:

(a) If a grower is dissatisfied with a determination made by the committee which affects him, he may submit to the committee within 30 days after he is notified of the determination, a request for a review by the committee of that determination, along with any materials which he feels are pertinent and a written argument if he so desires.

(b) The committee shall review its determination within a reasonable length of time taking into account all